

REMARKS/ARGUMENTS

The Office Action of January 14, 2008 has been carefully reviewed. Claims 1, 3-11, 13-24, 26-34, 36-44 and 46-54 remain pending in the application. Applicant respectfully traverses the rejections in view of the above amendments and the remarks that follow.

Rejection under 35 U.S.C. §103(a)

Claims 1, 3-11, 13-24, 26-34, 36-44 and 46-55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zoltners et al., "Integer Programming Models for Sales Resource Allocation", Dulaney et al. (U.S. 6,341,269) and in further view of "Profits per square foot for frozen 40-50% higher than grocery: Study", Frozen Food Age. Applicant traverses this rejection.

Applicant has amended independent Claims 1, 11, 24, 34 and 44 to include the feature of "averaging repeated runs of the Multiple Choice Knapsack Problem to determine values for the allocations." This feature is described in the specification, *inter alia*, on page 34 line 8 to page 35 line 4, and in Fig. 9. Applicant asserts that none of the cited prior art references, either alone or combined, disclose or suggest this feature. Accordingly, Applicant asserts that the independent claims, and all claims that depend upon them, are allowable.

Phone Call

Applicant appreciates the Examiner discussing this case in a phone call with Applicant's Attorney on March 24, 2008. In the phone call, the Examiner indicated that Zoltners did not appear to disclose the feature of averaging repeated runs of the Multiple Choice Knapsack Problem.

CONCLUSION

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Applicant reserves all rights to pursue claims of the same or similar scope to the original and/or cancelled claims in this application, e.g., by filing a continuing application. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

Date: April 7, 2008

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